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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/963,684 | 09/27/2001 | Yoshinori Kano | 492322002100 | 9009 |

7590 10/12/2005
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EXAMINER

PRONE, JASON D

ART UNIT PAPER NUMBER

3724

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 09/963,684 | KANO ET AL. | |
| | Examiner | Art Unit | |
| | Jason Prone | 3724 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7, 13, and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. In view of the appeal brief filed on 03 August 2005, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. In this case, the abstract is 222 words.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 7, 13, and 14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. On line 6 of claim 7, the phrase "a plurality of heat dissipation fins" is unclear. Applicant stated that support for these fins occurs on lines 14-21 of page 6.

Reference numeral 71 denotes a heat dissipation fin (heat dissipation portion) for making the heat dissipation area larger. The heat dissipation fin 71 extrudes from the vertical portion 30 of the slide block 23, faces the rib portion 32, and forms a unitary unit with the slide block 23. The slide block 23 including the heat dissipation fin 71 is made of the material with efficient thermal conduction such as aluminum for dissipating heat from the moving member 48. The lateral length of the heat dissipation fin 71 (the lateral length viewing from the front side of the electronic component mounting instrument) is about the same length of the moving member 48.

This paragraph, as well as the rest of the specification, only supports a single fin. There is no support for a plurality of fins. Also, the Figures only show a single fin (71). During the interview on 29 January 2003, it was requested that a revised copy of Figure 2 be submitted to be consistent with then Figure 3, however, at the time of this interview the topic of a plurality of fins was not an issue and was not the reason a revised Figure 2 was requested. The topic of a plurality of fins was never discussed because a plurality of fins was not claimed at the time. Applicant states that Figure 3A provides support for the plurality of fins by showing five heat fins. In Figure 3A, item 71 (heat dissipation fin) is pointing to a single structure resembling a rectangle missing a corner and in Figure 1,

item 71 is pointing to a different area of that same single rectangular-like structure leading the examiner to believe that the rectangular-like structure is the fin. Also, the statement on page 6 lines 14-21 only discloses a single fin. So together, Figures 1 and 3A with page 6 lines 14-21, clearly only disclose a single fin. Also, Figures 2 and 3B show item 71 pointing at a single structure as well. The addition, of a plurality of fins, to the claims is new matter.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over 61-239696 (Japanese Patent) in view of Hwang et al. (6,300,691). 61-239696 (Japanese Patent). In regards to claim 7, 61-239696 discloses the invention including at least one unit base capable of carrying at least one unit (15), a platen for sliding the unit base (11), a linear motor comprising at least one stationary member mounted on the platen and a moving member mounted on the unit base (13).

However, 61-239696 fails to disclose heat dissipation fins formed on the unit base, the heat dissipation fins are disposed parallel with a direction of sliding movement, and the heat dissipation fins are disposed on a side wall of the unit base so as to be perpendicular to the sidewall. Hwang et al. teaches heat dissipation fins formed on a unit base for dissipating heat (31), the heat dissipation fins are disposed


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parallel with a direction of sliding movement (31), and the heat dissipation fins are disposed on a side wall of the unit base so as to be perpendicular to the sidewall (31). Therefore, it would be obvious to one of ordinary skill in the art, at the time of the invention, to have provided the linear motor of 61-239696 with heat dissipation fins, as taught by Hwang et al., to prevent the linear motor from over heating.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JP
October 05, 2005


Allan N. Shoap
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